

**Notice of Allowability**

Application No.

09/692,344

Examiner

Kevin Bates

Applicant(s)

BEUKEMA ET AL.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-13-2004.
2. ☒ The allowed claim(s) is/are 1-2, 4-10, 12-18, and 20-24 which are renumbered 1-21.
3. ☒ The drawings filed on 19 October 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
HOSAIN ALAM

PATENT EXAMINER

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Francis Lammes, Attorney Registration Number 55353 on January 12, 2005.

The application has been amended as follows:

In the claims:

Please amend claim 1 to read:

1. A method for modifying a network without tearing down existing connections, comprising:

identifying a modification to the network that is to be made;

identifying a send queue that is to be affected by the modification;

placing the send queue that is to be affected by a modification to the network into a suspended state;

wherein while in the suspended state, write requests can be posted to a queue pair of the send queue, incoming messages to the queue pair of the send queue are processed normally, and work requests submitted to the send queue are queued and are not processed;

applying the modification to the network; and

placing the send queue back into an operational state after applying the modification to the network.

Claim 3 is cancelled.

Please amend claim 9 to read:

9. An apparatus for modifying a network without tearing down existing connections, comprising:

identifying a modification to the network that is to be made;

identifying a send queue that is to be affected by the modification;

placing the send queue that is to be affected by a modification to the network into a suspended state;

wherein while in the suspended state, write requests can be posted to a queue pair of the send queue, incoming messages to the queue pair of the send queue are processed normally, and work requests submitted to the send queue are queued and are not processed;

applying the modification to the network; and

placing the send queue back into an operational state after applying the modification to the network.

Claim 11 is cancelled.

Please amend claim 9 to read:

9. A computer program product in a computer readable medium for modifying a network without tearing down existing connections, comprising:

identifying a modification to the network that is to be made;

identifying a send queue that is to be affected by the modification;

placing the send queue that is to be affected by a modification to the network into a suspended state;

wherein while in the suspended state, write requests can be posted to a queue pair of the send queue, incoming messages to the queue pair of the send queue are processed normally, and work requests submitted to the send queue are queued and are not processed;

applying the modification to the network; and

placing the send queue back into an operational state after applying the modification to the network.

Claim 19 is cancelled.

#### ***Information Disclosure Statement***

The Information Disclosure Statement received on September 13, 2004 was considered.

#### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The primary reason for allowance is that the examiner has found that the prior art of record does not teach or suggest or render obvious a method for modifying a network without tearing down existing connections, where the method includes identifying modifications that need to be made to a network, and placing the send queues that are affected by the modification into a state where incoming messages are processed at the queue normally, but work requests are queued and are not processed. Each independent claim have been amended to include the indicated allowable subject matter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB  
January 12, 2005

  
**HOSAIN ALAM**  
SENIOR PATENT EXAMINER